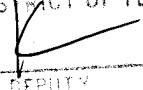


FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

2010 APR -6 PM 3:23

CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY 
DEPUTY

**MARCUS SAENZ and SHANNON SAENZ,
Plaintiffs,**

-vs-

Case No. A-09-CA-732-SS

**LEHMAN BROTHERS BANK, FSB;
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.; AURORA LOAN SERVICES,
LLC d/b/a Aurora Loan Services; FALSO
SOLUTIONS; MICHAEL J. SCHROEDER;
JUANITA STRICKLAND; JANIE MUCHA; and
JOHN DOES 1-1000,**

Defendants.

ORDER

BE IT REMEMBERED on this day the Court reviewed the file in the above-styled cause, and thereafter, enters the following:

On February 25, 2010, this Court entered its order that the plaintiffs Saenz and their counsel have twenty days to properly serve summons and/or suit papers on the defendants. Prior to that date, counsel for the plaintiffs had advised that an impending foreclosure had been postponed and there was no necessity for any type of injunctive relief. Since that date, however, no further pleadings have been filed, no summonses have issued, and no action whatsoever has occurred regarding this case. Plaintiffs' counsel had been scheduled to appear before this Court on February 25, 2010, to show cause why the case should not be dismissed as no summons or other service had been requested, issued, or served. However, plaintiffs' counsel did not appear and advised that he had not received a copy of this Court's order that the Clerk's records clearly establish had been electronically

served on counsel for the plaintiffs. Now there has been no response whatsoever to the February 25, 2010, order.

IT IS THEREFORE ORDERED that the above-styled and numbered cause is DISMISSED for the failure of the plaintiffs Saenz and their counsel to diligently prosecute this case.

SIGNED this the 5th day of April 2010.



UNITED STATES DISTRICT JUDGE